

NORTH AUGUSTA

SOUTH CAROLINA'S RIVERFRONT

FOIA 2023-24

Date: March 16, 2023

TO: Lauren Pavatte
lpavatte@armadaanalytics.com

RE: FREEDOM OF INFORMATION REQUEST

Copy to:
Kelly Zier - City Attorney
Tommy Paradise – Director of Planning & Development
Mark Timmerman – Superintendent of Building Standards
Captain Charles Williams – Public Safety

PLEASE BE ADVISED that the City of North Augusta has received your Freedom of Information Act (FOIA) request the 14th day of March 2023. Such request has been forwarded to the appropriate department for response. In addition, a copy of said request has been forwarded to the office of the City Attorney for his review.

The City Attorney will make a determination as to whether the request is a proper request under the FOIA act. The appropriate department will advise as to what materials, documents, etc. may be available. That department will also provide information indicating the approximate time involved related to the retrieval of the documentation, and also the amount of material that would need to be copied in order to comply with the request. At such time as a response is received from the City Attorney and the appropriate department, we will then notify you of the response of the City to your FOIA request. In the event that the request is deemed appropriate and permissible under the FOIA act, we will advise you of same and also provide an estimate of the costs that would be related to responding to said request. In the event that it is determined that the FOIA request is not proper and not permitted by the act, you'll also be advised of that decision.

A response to your request will be made within the time limits as established by section 20-4-30(c) of the FOIA act. Specifically, this requires that said response be provided within 10 business days for any record requested that is less than 24 months old. A request for a record that is more than 24 months old, is to be responded to within 20 business days from the date of the receipt of your request. The City would not normally require the full period in order to respond, but reserves its right under the act to do so.

The response as required by the Act as referred to in the above paragraph is NOT the delivery of the documents. It is a response advising the person making the FOIA request of the City's determination as to the public availability, of the requested public records. The ACT further provides that if the request is granted, the document must be furnished or made available for inspection or copying no later than thirty (30) calendar days from the date on which the final determination as to the availability of the documents is made, unless the record are more than twenty-four (24) months old, in which case the Public Body is to provide such records no late than thirty-five (35) calendar days from the date on which the final determination was provided. In the event that a deposit for the costs of providing the documentation is required, the providing of the

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documents would be based upon the date on which the deposit is received. In such case, the time remains thirty (30) or thirty-five (35) calendar days based upon the age of the documents requested.

In the event that the response to your request is positive and the costs associated with retrieving and providing the data is minimal, in most cases, the City would forward the documentation to you with a statement for the costs. An example of charges would be 15¢ per page for black and white copies, 20¢ per page for color copies. The City does not charge for search and retrieval for fifteen minutes or less. For any time required to research and retrieve the requested information more than 15 minutes, the City charges, a minimum of \$8.00 per 30 minutes. Pursuant to the act, the charge for searching, retrieving, and redacting records is not to exceed the hourly wage of the lowest paid employee on the public body staff, who has the skill and training to fulfill the request. Therefore, the charge could be in excess of the \$8.00 per 30 minutes, if a regular clerical person is unable to perform the services. The specific FOIA Fee schedule, as adopted by the City is available for review online. In the event that the costs are considered to be of more than a nominal amount, the City would reserve the right to require a deposit of 25% of anticipated costs to be made before assembling, copying and delivering the materials. This would also provide to you the opportunity to determine if you desired to proceed with the request in light of the costs.

NOTICE: SOUTH CAROLINA LAW PROVIDES THAT “IT IS A CRIME TO KNOWINGLY OBTAIN OR USE PERSONAL INFORMATION FROM A PUBLIC BODY FOR COMMERCIAL SOLICITATION.” Section 30-2-50

Jamie Paul

Jamie Paul, City Clerk, CMC

City of North Augusta, South Carolina



Municipality Name: North Augusta

Property Name: The Ledges
Address: 550 Sikes Avenue
City/State: North Augusta, SC 29841
Property Use: Multifamily Apartments
Parcel #: 007 14 17 009

To whom this may concern,

At our client's request, please provide the following information:

- **Zoning Compliance/Verification Letter:** Please supply a letter (or feel free to use the enclosed template and copy onto letterhead) stating in which zoning district the subject property is currently located, the number of permitted units on site, whether or not the subject is considered to be a permitted use, and any compliance information you may be able to provide. Please use municipality letterhead, or if this is not possible for some reason, please enclose a municipality fax coversheet showing that the zoning letter is enclosed.
- **Any Variances, Special Permits or Conditions:** Please note the existence of these items as they relate to the use and structures of subject property and supply documentation, if available.
- **Code Violations:** Please note whether or not there are currently any open/outstanding **zoning, building, and fire** code violations that apply to the subject property.
- **Condemnation/ Eminent Domain:** Please note whether or not there are currently any condemnation or eminent domain proceedings that apply to the subject property.
- **Certificates of Occupancy:** Please supply copies of any existing certificates of occupancy for the subject property. If none are available, please state the reason for this and whether there is any expected enforcement action due to the lack of certificate.
- **Approved Site Plan and/or Conditions of Approval, if applicable:** Please supply one or both of these documents, particularly if the subject property is located in a Planned Development.

Upon completion, please forward the information via email if possible, and by US Mail if not. We truly appreciate your help with this request and look forward to your reply. Please feel free to contact me with any questions or concerns you may have regarding this request.

Thank you very much for your assistance!

[Lauren Pavatte, Senior Zoning Analyst](#)

Armada Analytics, Inc.
104 South Main St, Suite 500
Greenville, SC 29601

Office: (864) 438-2113
Fax: (866) 255-6518
Email: LPavatte@ArmadaAnalytics.com

(PLEASE COPY THIS FORM ON YOUR COMPANY LETTERHEAD)

Property Name: The Ledges
Address: 550 Sikes Avenue
City/State: North Augusta, SC 29841
Property Use: Multifamily Apartments
Parcel #: 007 14 17 009

To Whom It May Concern:

In response to your request for information regarding the above-referenced property, we have researched our files and present the following:

1. The current zoning classification for the subject property is: _____.

2. The number of permitted units on site is : _____.

3. According to the zoning ordinances and regulations of this district, the use of the subject property is a:

Current Use _____

- Permitted Use by Right
- Permitted Use by Special/Specific Use Permit Number _____ (enter permit number and see question 4)
- Permitted Use by Conditional Use Permit _____ (enter permit number and see question 4)
- Legal Nonconforming Use (use was existing prior to the adoption of the zoning ordinance/code)
- Non-Permitted Use
- The Municipality is unable to opine at this time

Comments: _____

4. Conformance: Per current zoning ordinances and regulations applicable to the subject property, the current structure(s) is (If unknown, please check the last box):

- Legal Conforming (complies with applicable zoning regulations, including parking)
- Legal Nonconforming (does not meet the current zoning requirements due to amendments, re-zoning, or other changes. See comments)
- Nonconforming (see comments)
- The Municipality is unable to opine at this time

Comments: _____

5. Have any variances, special permits/exceptions, ordinances or conditions been granted/approved for either the use or structures of the subject property:

- No, there are not any variances, special permits/exceptions, ordinances or conditions that apply to the Subject property.
- Yes, the following apply to the subject property:

(Documentation/copies attached)	_____ Variance
	_____ Special Permit/Exception
	_____ Ordinance
	_____ Conditions

Comments: _____

6. Rebuild: In the event of casualty, in whole or in part, the zoning code states that a legal non-conforming structure:

- May be rebuilt in its current form (i.e. no loss of square footage, same footprint, with drive through(s), if applicable).
- May not be rebuilt in its current form, except upon satisfaction of certain conditions, limitations or requirements. Please see section _____ of the current zoning code/ordinance for details. Additionally, the damage threshold is calculated based on the entirety of the property or per individual building.

7. Zoning Code Violation and Condemnation/ Eminent Domain Information:

- There do **NOT** appear to be any outstanding/open zoning code violations that apply to the subject property, nor are there condemnation or eminent domain proceedings.
- The following outstanding/open zoning code violations apply to the subject property:
- The following condemnation/ eminent domain proceedings apply to the subject property

Comment: _____

8. Building Code Violation Information:

- There do **NOT** appear to be any outstanding/open building code violations that apply to the subject property.
- The following outstanding/open building code violations apply to the subject property:

Comment: _____

9. Fire Code Violation Information:

- There do **NOT** appear to be any outstanding/open fire code violations that apply to the subject property.
- The following outstanding/open fire code violations apply to the subject property:

Comment: _____

8. Certificates of Occupancy (required for the use, operation and occupancy of the subject property), status:

- Valid Certificate(s) of Occupancy has been issued for the subject property and is/are attached.
- We are unable to locate a copy in our records. The absence of a Certificate of Occupancy will not give rise to any enforcement action affecting the property.
- Certificates of Occupancy have been issued for the subject property in _____ (enter year); however, for projects constructed prior to the year _____ are no longer on file with this office. The absence of a Certificate of Occupancy will not give rise to any enforcement action affecting the property.
- A Certificate of Occupancy is not required for the subject property.

Comments: _____

9. Site Plan Information:

- The subject property was not subject to a site plan approval process
- The subject property was subject to site plan approval; a copy of the approved site plan is attached
- The subject property was subject to site plan approval, but a copy of the approved site plan is no longer in existence (*was lost or destroyed*). All other existing documents applicable to site plan approval for the site are attached.
- An approved site plan for the subject property is on file, but our office does not have the necessary resources to reproduce and distribute copies of the plan. All other existing documents applicable to site plan approval are attached.
- Other, (as noted here):

Comment: _____

Further comments regarding the subject property:

This information was researched on _____, 2021, by the undersigned, per request and as a public service. The undersigned certifies that the above information contained herein is believed to be accurate and is based upon or relates to the information supplied by the requestor. The Authority assumes no liability for errors and omissions. All information was obtained from public records, which may be inspected during regular business hours.

ZONING AUTHORITY:

By: _____

Municipality: _____

Title: _____

Department: _____